

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: : Case No. 1-20-00841
: :
CRAIG B. DEIMLER, :
WILLIAM OLIVER FISHER-DEIMLER, :
Debtors : Chapter 13

CRAIG B. DEIMLER, :
WILLIAM OLIVER FISHER-DEIMLER, :
Movants/Objectors, : OBJECTION TO CLAIM #34
v. :
: :
JOHN AND CINDY SIMPKINS, :
Respondents/claimants :
:

**RESPONSE TO DEBTORS' OBJECTION TO PROOF OF CLAIM
FILED BY JOHN AND CYNTHIA SIMPKINS**

AND NOW, this 21st day of July 2020, come John and Cynthia Simpkins (the "Claimants"), and respond to the Debtors' objection to their Proof of Claim ("POC") as follows:

1. Admitted.
2. No response required; the document speaks for itself.
3. No response required; the rule speaks for itself.
4. Admitted that no documents were attached to the POC. However, they were provided to Debtors' counsel on 6/16/20 and 6/29/2020.
5. No response required; the rule speaks for itself.
6. Admitted that Debtors' counsel received supporting documentation from Claimants' counsel. Denied that the documents attached to the objection to POC demonstrate the obligation is owed by GCD Construction, Inc. By way of further response, the PA Dept. of State

lists Deimler Family Construction as a fictitious name owned by Debtor Craig Deimler. See, Exhibit "A" hereto.

7. The contract speaks for itself. However, the contract, written by or on behalf of Debtor Craig Deimler, is to be construed against him as drafter in case of any dispute and, further, cannot change the legal status of Deimler Family Construction (as a fictitious name belonging to Debtor Craig Deimler).

8. Admitted in part, denied in part. Admitted that there is no formal guaranty signed by Debtors; denied that Debtor Craig Deimler has no liability in that Deimler Family Construction is a fictitious name under which he operated.

9. Admitted that Debtor William Oliver Fisher-Deimler is not liable to Claimants. As to Debtor Craig Deimler, this paragraph sets forth a legal conclusion to which no response is required. However, Claimants reassert the content of Paragraph 8 above.

10. Denied as stated for the reasons set forth above.

WHEREFORE, the Claimants respectfully requests that this Honorable Court deny and dismiss the Debtors' objection to their POC, and for such other relief as may be just and appropriate.

Austin Law Firm LLC

By: /s/ Sara A. Austin
Sara A. Austin, Esq.
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York, PA 17403
717-846-2246
Supreme Ct. I.D. No. 59052
Counsel for Claimants

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Date: 06/29/2020

Business Name History

Name	Name Type
Deimler Family Construction	Current Name

Business Entity Details

Officers

Name	Deimler Family Construction
Entity Number	4360685
Entity Type	Fictitious Names
Status	Active
Citizenship	Domestic
Entity Creation Date	06/05/2015
Effective Date	06/05/2015
State Of Inc	PA
Address	6530 Derry St, Harrisburg PA 17111 Dauphin

Name	Craig B. Deimler
Title	OWNER
Address	6530 Derry St, Harrisburg PA 17111

Filed Documents

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on July 21, 2020, a true and correct copy of the foregoing document was or will be served on the following via ECF:

Dorothy L. Mott, Esq.
Counsel for Debtor

Charles J. DeHart, III, Trustee
Ch. 13 Trustee

/s/ *Sara A. Austin*